

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 10/27/09

----- X

MARCELO ROBLES, :

Plaintiff, : 05 Civ. 5553 (JSR) (AJP)

-against- : **ORDER FOR SETTLEMENT CONFERENCE**

ARGONAUT RESTAURANT & DINER, INC., :  
RITA PLANET, INC. & SOTIRIOS KOLLIAS, :

Defendants. :

----- X

**ANDREW J. PECK, United States Magistrate Judge:**

A settlement conference is scheduled for Wednesday, October 28, 2009 at 2:00 p.m. before Magistrate Judge Andrew J. Peck in Courtroom 20D, 500 Pearl Street. Counsel attending the conference must have full settlement authority and their client(s) must be present at the conference (along with an interpreter if needed), as must a representative of the client's insurance company where the decision to settle and/or amount of settlement must be approved by the insurance company.

On or before 5:00 p.m. today (Tuesday, October 27, 2009), counsel shall provide a confidential settlement memorandum to my chambers via fax (212-805-7933). The memorandum shall not be filed with the Clerk of the Court nor provided to opposing counsel.

C:\ORD\

The memorandum should explain the factual and legal background of the case as it impacts on settlement negotiations; the status of prior settlement discussions between the parties, if any; and the party's settlement proposal (range). The latter should be the realistic settlement range of that party, not just the party's "opening bid." The settlement range in the settlement memorandum will be kept confidential by me and not disclosed to opposing counsel. I strongly suggest that the settlement memorandum not exceed 15 pages.

Also, counsel shall advise the Court and opposing counsel, by letter, of who the client representative(s) will be (name, position and, if necessary, an explanation of their role).

The parties are to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which is attached.

SO ORDERED.

DATED: New York, New York  
October 27, 2009

  
\_\_\_\_\_  
**Andrew J. Peck**  
United States Magistrate Judge

Copies by fax & ECF to: Michael A. Faillace, Esq.  
Arthur H. Forman, Esq.  
Judge Jed S. Rakoff